

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DAVID J. DEL RIO,

Plaintiff,

v.

B. CATES, et al.,

Defendants.

CASE NO. 1:21-cv-01458-AWI-SAB (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND
DISMISSING ACTION**

(Doc. No. 6)

Plaintiff David J. Del Rio is proceeding pro se in this civil rights action under 42 U.S.C. § 1983. The action was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Eastern District of California Local Rule 302.

On November 9, 2021, the assigned magistrate judge issued findings and recommendations, which recommended that Plaintiff's complaint be dismissed for failure to state a claim. Doc. No. 6. The findings and recommendations were served on Plaintiff and contained notice that any objections to the findings and recommendations were to be filed within fourteen days from the date of service. *Id.* The period for filing objections has passed and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court concludes that the findings and recommendations are supported by the record and by proper analysis.

ORDER

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (Doc. No. 6) that were issued on November 9,

2021, are ADOPTED in full;

2. This action is DISMISSED for Plaintiff's failure to state a claim; and

3. The Clerk of the Court is directed to CLOSE this matter.

IT IS SO ORDERED.

Dated: December 6, 2021



SENIOR DISTRICT JUDGE